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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/813,973	03/22/2001	Hideyuki Toriyama	245402002600	6050

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EXAMINER

NGUYEN, MADELEINE ANH VINH

ART UNIT PAPER NUMBER

2626

DATE MAILED: 02/22/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/813,973

Applicant(s)

TORIYAMA, HIDEYUKI

Examiner

Madeleine AV Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE \_\_\_\_\_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 11 January 2006.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 2,3,13-26 and 28 is/are allowed.
- 6) ☒ Claim(s) 1,4-6,10-12 and 27 is/are rejected.
- 7) ☒ Claim(s) 7-9 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)               | Paper No(s)/Mail Date. _____  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>1/11/2006</u> .   | 6) <input type="checkbox"/> Other: _____                                    |

## **DETAILED ACTION**

### ***Response to Arguments***

Applicant's arguments, see pages 2-4, filed on January 11, 2006, with respect to claims 1-28 have been fully considered and are persuasive. The rejection of claims 1-28 has been withdrawn. However, upon further consideration, a new ground(s) of rejection of claims 1, 4-6, 10-12 and 27 is made in view of Katori et al (US Patent No. 5,995,248).

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 4-6, 10-12 and 27 are rejected under 35 U.S.C. 102(b) as being anticipated by Katori et al (US Patent No. 5,995,248).

Concerning claim 1, Katori et al discloses an image processing apparatus (Fig.3) comprising a first processing means (54, 60) for sequentially processing input pixel data; a memory device (53) provided at a preceding stage of the first processing means for storing the pixel data; a second processing means (55-59) for determining characteristic of an image region (color region information) including a plurality of the pixel data; and a third processing means (62) for processing the pixel data processed at the first processing means, based on the

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characteristic determined by the second processing means (Fig.3; col. 5, lines 11-36; col. 6, lines 15-40; col. 7, lines 19-45; col. 7, line 60 – col. 8, line 16).

Concerning claims 4 and 27, Katori et al discloses an image processing apparatus (Fig.3) comprising a memory device (53) to store input image data; a first processing unit (54, 60) to sequentially convert and output the image data stored in the memory device; a second processing unit (55-59) to receive the same image data as image data input into the memory device (53) and to output data processed based on the received image data; and a third processing unit (62) to receive the image data output from the first processing unit (54, 60) and the data output from the second processing unit (55-59), and to process the image data output from the first processing unit based on the data output from the second processing unit (Fig.3; col. 5, lines 11-36; col. 6, lines 15-40; col. 7, lines 19-45; col. 7, line 60 – col. 8, line 16); an image forming unit (130) to form an image on a sheet based on image data output from the third processing unit (Fig.1).

Concerning claims 5-6, 10-12, the same image data (r, g, b) is input into the memory device (53) and the second processing unit (55) in parallel (claim 5), (Fig.3); the second processing unit (53-59) determines an attribute (color region information) of an image region based on image data of pixel to be processed and pixels on the periphery of the pixel to be processed, and outputs data indicating the attribute (claim 6), (col. Col. 7, line 60 – col. 8, line 16); the first processing unit converts the input image data (r, g, b) into image data of a different color system (Dr, Dg, Db) to output the converted image data (claim 10), (col. 5, lines 15-16); the third processing unit (62) processes the image data output from the first processing unit to correct sharpness of an image (Fig.8; col. 7, lines 42-45); the third processing unit

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simultaneously receives the image data from the first processing unit and data corresponding to the image data from the second processing unit (col. 7, line 19 – col. 8, line 11).

***Allowable Subject Matter***

3. Claims 2-3, 13-26 and 28 are allowed.

4. The following is an examiner's statement of reasons for allowance: Claims 2-3, 13-26 and 28 are allowable over the prior art of record because the Examiner found neither prior art cited in its entirety, nor based on the prior art, found any motivation to combine any of the said prior art which teaches an image processing apparatus comprising a switch device for switching a circuit such that a connecting means, connecting a memory device, is arranged either at a preceding stage of the first processing means or between the first processing means and the third processing means; or a switch device for selectively switching a first circuit which input image data output from a memory device into a first processing unit, and second circuit which inputs the image data output from the first processing unit into the memory device and also to input the image data output from the memory device into the second processing unit.

5. Claims 7-9 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

6. The following is a statement of reasons for the indication of allowable subject matter: Claims 7-9 are objected over the prior art of record because the Examiner found neither prior art cited in its entirety, nor based on the prior art, found any motivation to combine any of the said prior art which teaches an image processing apparatus as stated in claims 4 and 6 wherein the

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second processing unit determines if the image region is represented by a character, a photograph or a dot.

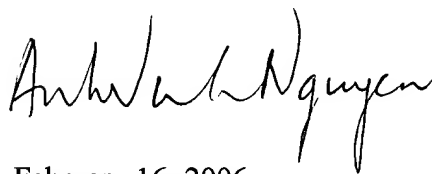
***Conclusion***

7. Claims 1, 4-6, 10-12, 27 are rejected, claims 2-3, 13-26 and 28 are allowed, and claims 10-12 are objected.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Madeleine AV Nguyen whose telephone number is 571 272-7466. The examiner can normally be reached on Monday, Tuesday, Thursday 9:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kimberly A. Williams can be reached on 571 272-7471. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Madeleine AV Nguyen  
Primary Examiner  
Art Unit 2626

February 16, 2006